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# Assessing Civilian Capacity in Defense Policymaking and Management

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## Research Series

### ASSESSING CIVILIAN CAPACITY IN DEFENSE POLICYMAKING AND MANAGEMENT

#### Frameworks of Analysis:

The two assessments included here were drafted by María José Moyano Rasmussen of the Center for Civil-Military Relations (CCMR), with invaluable assistance from her colleagues at CCMR and input from the other partners belonging to the PDGS. The PDGS offers these assessments as tools for analysts interested in reviewing civil-military relations in a variety of settings, from authoritarianism to democracy, from military supremacy over the civilian population to military subordination to civilian rule, from civil-military conflict to civil-military cooperation.

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#### ASSESSMENT FRAMEWORK #1

The purpose of this assessment framework is to provide a static portrait of civil-military relations, and to describe the balance of power between civilians and the military at a given point in time. The assessment does not presume to prescribe what is "adequate" civilian capacity for a particular country. Rather, its purpose is to allow outside analysts to apply reasonably objective measures of a civilian leadership's capacity for defense policymaking and management.

#### 1. The Political System

##### 1.1. The Nature of the Government

- Does the head of government owe his position to a free election?
- If he does: Is this the country's first democratic government? Does the country have a longer experience of democratic rule? How long? How many years of democratic rule has the country enjoyed? How many consecutive free elections have been held?
- If the government has not been elected: Are there plans to hold a free election? How firm are those

plans? Are all opposition groups allowed to organize politically, or are there proscriptions? Is there legislation describing the role of the opposition? Is there political repression of opposition groups? Are there human rights violations?

## 1.2. Governmental Legitimacy

- Is there opinion poll data on the citizens' views about the government?
- Is there opinion poll data on the citizens' views about the democratic system?
- Are there any other subjective indicators of government and system legitimacy?

## 1.3. Domestic Stability

- Is there a group or groups who challenge the state's monopoly on violence (the definition of state sovereignty)?
- Does that armed opposition have any popular support? What are the indicators of such support?
- Does the armed opposition control a portion of the national territory? How big is that portion?
- Are the citizens and the media expressing concerns about levels of crime and violence?

## 2. Constitutional and Legal Arrangements Regarding the Military

### 2.1. Constitutional Role of the Armed Forces

- Does the constitution discuss the armed forces?
- Does the constitution grant a privileged position to the military? Does it call them guardians or protectors of the established order?
- Conversely, does the constitution prohibit the military from acquiring a privileged position?

### 2.2. The relationship between the Armed Forces and the Executive Power

- Is the head of government a civilian or a soldier?
- If he is a soldier: Is he active duty or retired?
- If he is a civilian: Is the head of government also the commander-in-chief? *De jure* or *de facto*, or both? Or is control of the armed forces vested in the service chiefs or the chief of staff?
- How widely are these provisions understood and accepted by the military? And by the civilians?
- Has the military refused to carry out orders issued by the civilian commander-in-chief? Which orders? For how long?

### 2.3. The relationship between the Armed Forces and the Legislative Power

- Are military and defense issues discussed and decided in the legislature? Does the legislature merely rubber stamp defense decisions made by the head of government? Are certain defense issues (i.e., intelligence, or classified portions of the military budget) outside the purview of the legislature?
- What, if any, legislative committees have authority over defense? Is there a defense committee? A budget committee with authority over the defense budget? An intelligence committee? An internal security committee?
- How many staffers do these committees have? What is their expertise?
- What operating budget do these committees have, if any?
- Are there officers serving in the legislature? Are those officers active duty or retired? Are they sitting

on these legislative committees in charge of defense issues?

#### 2.4. The relationship between the Armed Forces and the Judiciary

- Is there a code of military justice? How did it come about? What does it regulate?
- Is the military only subject to military law, or are soldiers also subject to civilian law? Which aspect of the soldier's life is subject to civilian law? His private life, or also his professional life?
- How widely understood and accepted by the military are these provisions? And by the civilians?

#### 2.5. Civilian and Military Roles and Responsibilities in the Ministry of Defense

- Who heads the MoD, a civilian or a soldier? If the minister is a soldier, is he active duty or retired?
- Is there a clear chain of command that goes from the head of government to the minister of defense to the service chiefs? Is this chain of command understood and accepted by the military? And by the civilians? Is this chain of command bypassed on occasion?
- Are the functionaries within the MoD civilians or soldiers? If they are soldiers, are they active duty or retired?
- What percentage of MoD personnel is civilian in origin? What is their expertise on defense matters?

### 3. The Nature and Organization of Military Institutions

#### 3.1. The Political Activities of the Armed Forces

- Are active duty soldiers allowed to vote? To openly join political parties? To run for office? To serve in the cabinet?
- Are there provisions that regulate the political activity of the military? Are these provisions widely understood and accepted?
- Is there open political activity in the barracks? Of what nature? Does this political activity contravene any regulations or laws that might be in effect?
- Is there any data on the military's political and party preferences? Are these preferences at variance with the civilians' political and party preferences? Does the military support parties or groups that enjoy only marginal support among civilians?

#### 3.2. Ethnic, Social and/or Religious Composition of the Armed Forces

- Is the country a multiethnic or multiracial society?
- If it is, are the military forces drawn from all social, religious and ethnic groups? Is minority representation widespread among the enlisted, or among the officer corps, or among both?
- Are any social, religious, racial or ethnic groups excluded from military service, *de jure* or *de facto*? On what grounds? Who made these decisions?

#### 3.3. Military Education

- Are soldiers educated in service schools or civilian institutions or both?
- If they are educated in both, what percentage of the officer corps goes to civilian colleges, and what percentage attends the service academies? What percentage of the officer corps attends the war colleges, and what percentage goes to civilian graduate schools?
- Who are the instructors at service schools, are they civilians or soldiers or both? What is the

proportion of civilian instructors?

- Are civilians allowed to attend national defense colleges and war colleges?
- Who sets the curricula at service schools? Is there any civilian input?
- If the military has a history of political involvement, or of participation in internal repression, is the educational system addressing this issue?

### 3.4. The Military Promotion Process

- Is there a uniform promotion process, or are there different systems in place for the enlisted ranks, junior and senior officers?
- Are clear and objective promotion criteria defined? Do political factors weigh in on promotion, or other factors, such as social connections considered?
- If the country is a multiethnic or multiracial society, are all minorities represented in the senior ranks? How is this achieved? Is there a quota system?
- Who defines the promotion criteria? The military or the civilians?
- What, if any, is the degree of civilian involvement in the promotion process? Do civilians merely rubber stamp the military's decisions, or do they actually get to make decisions on promotions? How are controversial cases decided?

### 3.5. The Economic Role and Activities of the Armed Forces

- Does the military as an institution play a role in economic activity? Do the services own or manage economic enterprises or financial institutions? If so, what do these enterprises produce? Armaments or consumer goods? Does the military control these institutions, or benefit financially in any way?
- Do military institutions derive any profit from nationalized industries managed by the state? Who makes these decisions?
- Are there any regulations about a) private enrichment by the military; b) military interactions with privately owned defense businesses? Are these regulations obeyed or breached?

## 4. Internal-External Defense Roles

### 4.1. Roles and Missions

- Does the military have a purely external role, to prepare for and fight foreign wars? Or does the military have a role in internal defense and security?
- If the military has a role in internal security and defense, which of the following issues is the military involved in: riot control, counter-terrorism, counter-drug operations, disaster relief, road building, vaccination programs? Are there special military units assigned to internal defense? What is their training?
- How was this internal role defined, and by whom? Was there any public discussion on the issue?
- Does the military have a history of involvement in internal defense? Has this internal defense role created civil-military frictions in the past? Has the military been involved in human rights violations? If so, have these episodes been investigated? By whom? Have soldiers been prosecuted for human rights violations? In military or civilian courts?
- How does police force structure compare with military force structure? How do police expenditures compare with military expenditures over time?
- How professional is the police force? What is the nature of its training? Is there corruption in the police force? If so, has anything been done to address the problem?

## 4.2. Intelligence Functions

- Are the military involved in gathering foreign or domestic intelligence, or both?
- Who heads the intelligence services? A civilian or a soldier?
- What proportion of intelligence operatives and analysts are civilian?
- Is there a national secrecy law? What does this legislation cover?
- Is there congressional oversight of intelligence? What is the expertise of those involved in congressional oversight (legislators and staffers)?

## 5. Allocation of Defense Resources

### 5.1. Budgeting Authority

- How is the size and basic distribution of the defense budget determined?
- Who makes the key decisions on the size and allocation of the defense budget: the military, the head of government and his economic advisors, the legislature, or a combination of the three?
- Are there secret defense expenditures, or is the entire defense budget a public document?

## 6. Anatomy of Civil Society

### 6.1. The Media

- Is the media completely free to publish or broadcast anything they want? Is the government entitled to censor a particular story? Or does the government exercise wider censorship powers? Is there intimidation of journalists?
- Are newspapers and TV/radio stations economically independent, or do they rely on subsidies? Are there other means of economic coercion of the media?
- Do defense issues get any coverage in the media? How much coverage? Are there well-informed journalists covering defense? What is their degree of expertise?

### 6.2. The Political Parties

- Are political parties allowed to function freely? Is there a statute regulating political parties? Are certain parties proscribed?
- Are the political parties established and mature, or are they recent creations?
- Is the political party system stable, or do parties split and merge all the time?
- Are party elites knowledgeable about defense issues? If not, what are the reasons? Does the country have little experience of party rule? Or has one party been in power for an extended period of time? Are there ideological or political reasons why party elites are not well versed on defense issues?

### 6.3. The NGOs

- Does the country have any NGOs? Are these domestic or international organizations?
- Are NGOs adequately funded?
- Are NGOs allowed to operate freely? Are any NGOs banned? Is there legislation regulating the functioning of NGOs?
- Are NGOs mostly focused on a specific type of issues, such as social policy? How many (if any at all) NGOs cover defense issues? Are there any subjective or objective measurements of expertise on

defense matters within NGOs?

#### 6.4. Academic and Research Institutions

- Does the country have academic and research institutions? When were these created? Are they adequately funded? Who funds them?
- Are academic and research institutions allowed to operate freely? Or are they subject to government controls?
- Are any academic and research institutions dedicated to defense matters? When were these created? Are they adequately funded? By whom? Are they subject to government controls? Is there any communication between academics/researchers and policymakers?

#### 6.5. Civilian Education and Knowledge on Defense Issues

- Is the population interested in military and defense issues? If not, why not?
- If the population is interested in military and defense issues: is there a history of interest in defense matters, or is popular interest in defense a temporary phenomenon (for example, due to the threat of foreign war)? Is popular interest in defense issues concentrated in a certain social class, or certain professions, or a certain geographical area of the country, or is it widespread?

#### 6.6. The Relationship between the Armed Forces and Civil Society

- Are there any objective or subjective indicators of what the population thinks about the military, and what the military thinks about the civilian population (opinion polls, military speeches, letters to newspapers, statements during political marches, etc.)?
- Has the military's perception of civilians, and the population's perception of the military, remained constant over time, or have these changed?
- What factors account for either continuity or change in these views?
- Can the relationship between the military and the population be called antagonistic, cooperative, or indifferent?

Does the military have a "good image" within certain civilian sectors, but a negative image in others? Conversely, do civilians view a particular service or military organization unfavorably, and others favorably? What factors account for this variation?

### ASSESSMENT FRAMEWORK #2

The challenge for this assessment framework is to capture the complexity of different political settings, and to provide a simple analytical tool at the same time. While the first assessment provides a snapshot, this second assessment attempts to track or measure change. For each issue area discussed, the assessment provides three different categories or scenarios. We speak first of countries with major challenges, that is to say, countries where there is little or no civilian capacity to deal with defense issues (due to either political or legal constraints, or to a lack of training). Second, we speak of countries with moderate challenges, where there is some civilian capacity to deal with defense issues (again, for the reasons outlined above). Finally, we speak of countries with low-level challenges.

No country is expected to fit consistently into one of the three categories. Rather, depending on the issue, any given country (even established democracies) will have a mix of major, moderate and low-level challenges. However, as civilians begin to assert themselves over military institutions in new democracies,

it is expected that countries will show progress on individual issues, moving from major to moderate and eventually to low-level challenges.

	Major Challenges	Moderate Challenges	Low-Level Challenges
<b>1. THE POLITICAL SYSTEM</b>			
1.1 Nature of the Government	Authoritarian. The military either exercises direct power or serves as the regime's main support	Authoritarian (civilian or military) but with liberalizing tendencies. The regime allows some form of opposition	Democratic. This nation may be either a newly democratized country or a consolidated democracy
1.2 Governmental Legitimacy	Nonexistent. If they were consulted, the citizens would say the government is not responsive to their needs or demands	The citizens have some degree of confidence that the government will satisfy their needs or demands	There is overall belief in the legitimacy of the government
1.3 Domestic Stability	The government is challenged persistently by an armed opposition	There are sporadic outbursts of collective violence, or concerns about crime levels	The citizens are not concerned about violent challenges to the state, or about their own security
<b>2. CONSTITUTIONAL/ LEGAL ARRANGEMENTS</b>			
2.1 Constitutional Role of the Armed Forces	The constitution grants a special role to the armed forces as guardians (i.e., Turkey, Brazil) and/or gives the armed forces great latitude in interpreting their constitutional role	The constitution does not spell out a political guardianship role for the military, but either the military occasionally resorts to extra-constitutional pressures, or it maintains certain prerogatives not enjoyed by the citizenry (i.e., in health care, or other subsidies)	The constitution either prohibits a privileged role for the armed forces or does not spell out such a privileged role for them
2.2 Relationship between the Armed Forces and the Executive	De facto control of the armed forces is in the hands of the service chiefs and/or the chief of staff	A civilian elected official is commander-in-chief, but there are sporadic incidents of military contestation	A civilian elected official is <i>de facto</i> and <i>de jure</i> commander-in-chief
2.3 Relationship between the Armed Forces and the Legislature	There is no tradition or practice of oversight of defense issues. If there is a parliament, the military exists virtually independent from the legislature	The constitution mandates congressional oversight of defense issues, but one of these three realities exist: 1) certain defense issues are not within the purview of the congress (i.e. oversight of intelligence in Spain or UK); 2) the legislature does not have members and staffers cognizant of defense issues; 3) the military have "reserved" seats in the parliament (Indonesia)	All key defense issues are monitored and decided by legislators, aided by staffers well-versed in defense matters



2.4 Relationship between the Armed Forces and the Judiciary	Very poor. Members of the armed forces are only subject to military law	Confusion exists on whether civilian law applies to members of the armed forces, particularly if they are engaged in internal security	The armed forces are subject to military law but also to other laws of the land
2.5 Civilian Role in MoD Management	Little civilian participation. The MoD is headed by an active duty member of the armed forces	The MoD may be headed by a civilian, but is either staffed by active duty military or by civilians who are not knowledgeable on defense matters	The MoD is headed by a civilian and staffed by civilians who are well-versed on defense issues
<b>3. MILITARY INSTITUTIONS</b>			
3.1 Politicization	The military is highly politicized	One or more of these situations occurs: 1) there are openly political acts in the barracks; 2) senior military figures publicly admit to specific political affiliations; 3) political factors weigh in the military promotion process	The military accepts the principle of political neutrality, but there are occasional episodes of military opposition to civilian authority (i.e., "don't ask, don't tell, don't pursue" policy on homosexuals in the US military)
3.2 Ethnic/Social/Religious Composition	The military is drawn from specific ethnic, religious or social groups, and excludes others	There is some minority representation in the military	Military institutions have wide minority representation
3.3 Military Education	Education is entirely in military hands	Education is primarily in military hands, there is little civilian involvement, and no attempt to educate civilians and soldiers together	There is broad civilian oversight of military education, and efforts to mix civilians and soldiers at war colleges and civilian institutions
3.4 Promotion	Promotion decisions are left to the military	Promotion is decided primarily by the military, with civilian rubber stamping	Promotion to the senior ranks is decided by the legislature, and other promotion criteria are set by civil-military dialogue
3.5 Economic Role	The military is widely involved in economic enterprises, not necessarily related to defense	The military may be involved in economic enterprises, and there is no regulation of military interaction with defense production	There is widespread regulation of the interaction between the military and economic enterprises
<b>4. INTERNAL-EXTERNAL DEFENSE ROLE</b>			
4.1 Roles and Missions	The military is the first responder in any case of civil strife, and has a wide civic action role (road	The military is routinely involved in quelling domestic strife, but not involved in civic action	The military is predominantly involved in external defense, but may be involved in certain

	building, health programs, etc)		domestic missions, such as disaster relief
4.2 Intelligence Functions	The military completely dominates intelligence gathering and analysis	There is no great differentiation between external and domestic espionage. Active duty military participate in both	There is clear differentiation between foreign and domestic intelligence functions, both with effective oversight by civilians.
<b>5. DEFENSE RESOURCES</b>			
5.1 Budgeting Authority	The military makes all key decisions regarding the size and allocation of defense spending	Civilians have a formal say over budget decisions, but usually lack adequate information, expertise, and political leverage to overturn military preferences	Civilians take the lead in setting the size and basic distribution of defense spending
<b>6. CIVIL SOCIETY</b>			
6.1 The Media	There is widespread media censorship	Either the media operates under certain restrictions, or it operates freely but there is no deep knowledge of defense issues	There is a powerful free media. Coverage of defense issues is in the hands of journalists cognizant with military matters
6.2 Political Parties	One of these situations occurs: 1) political parties are non-existent; 2) political parties are in the formative stages; 3) rule is by a single party closely allied with the military	One of these situations occurs: 1) political parties are unstable; 2) parties are strong and have national representation, but they do not have elites knowledgeable about defense issues; 3) certain parties are <i>de facto</i> and/or <i>de jure</i> excluded from political participation (i.e., extremists, or Islamists in various countries)	There are strong national parties, with elites well-versed on defense issues
6.3 NGOs	There is virtually no social organization of any kind	NGOs may be poorly funded and weak, or they do not have the expertise to tackle defense matters	A variety of well-organized and funded civic groups educates the citizenry on different issues, including defense
6.4 Academia and Research Institutions	There is little or no academic and research activity	Research may exist, but funding is low, or research deals with various topics but not with defense	Well-funded academic and other research centers disseminate information about all issues, including defense
6.5 Civilian Education on Defense Issues	There is little knowledge or interest in defense among the citizenry. Officials in political and social organizations are largely ignorant in defense matters	Knowledge about defense issues is distributed unevenly among the citizenry. Some officials in political and social organizations are cognizant	Civilians are well versed on defense issues and debate them actively. Civilian officials in political and social organizations are also well versed on

		of defense issues, but they do not constitute a critical mass	defense issues.
6.6 Relationship between the Military and Civil Society	The relationship between the military and civil society is highly antagonistic, for any number of reasons, such as: a history of political involvement by the armed forces (Argentina until the 1990s), the ideological bent of civilian elites (France), or the involvement in an unpopular conflict (the US in the Vietnam era)	The military enjoys a good relationship with certain civilian sectors but not others	The relationship between the military and civil society is cooperative

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*PDGS - Documents*